

Chairperson: Supervisor Willie Johnson, Jr.
Clerk: Linda Durham, 278-4225
Research Analyst: Rick Ceschin, 278-5003

COMMITTEE ON JUDICIARY, SAFETY AND GENERAL SERVICES

Thursday, November 30, 2006 - 9:00 A.M.

Milwaukee County Courthouse - Room 201-B

MINUTES

TAPE No. 19: Side A, #001to EOT
TAPE No. 19: Side B, #001 to EOT
TAPE No. 20: Side A, #001 to 531

PRESENT: Supervisors Rice, De Bruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair)

SCHEDULED ITEMS:

1. 06-442 From the District Attorney, requesting permission to contract with PRAXIS, the Wisconsin Department of Corrections, Task Force on Family Violence, Sojourner Truth House and Alma Center to implement a new domestic violence grant. **(Also to the Committee on Finance & Audit)** (Tape #19A-#38)

APPEARANCES:

Jim Martin, District Attorney's Office
Paul Dedinski, Domestic Violence Unit

Mr. Martin reviewed the subject report.

MOTION BY: (BRODERICK) Approve.

Questions and comments ensued.

Mr. Dedinski addressed questions raised by Committee members.

Vote on the motion to approve: 7-0

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7
NOES: 0

SCHEDULED ITEMS (CONTINUED):

2. 06-J-21 From the Sheriff's Office, reporting on the 2006 Edward Byrne Memorial Justice Assistance Grant (JAG) – Reprogramming of City of West Allis Grant Funds.
(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE) (Tape #19A-#253)

APPEARANCE:

Molly Pahl, Public Safety Fiscal Analyst

Ms. Pahl reviewed the subject report.

The Committee took no action on this informational report.

3. 06-472 From the Sheriff, requesting authorization to enter into a contract with One Call Dental Staffing to allow the Inmate Medical Services Unit to provide on-site dental services to inmates. (Tape #19A-#268)

APPEARANCES:

Inspector Richard Schmidt, Sheriff's Department

Inspector Kevin Carr, Sheriff's Department

Dr. Michael Grubner, Medical Director, Health Services for Detention Services

Inspector Schmidt provided comments relative to the subject request.

MOTION BY: (DE BRUIN) Approve.

Questions and comments ensued.

Vote on the motion to approve. 7-0

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

NOES: 0

4. 06-473 From the Sheriff, requesting authorization to enter into a contract with Fresenius Medical Care to allow the Inmate Medical Services Unit to provide on-site dialysis care to inmates with kidney problems. (Tape #19A-#405)

APPEARANCES:

Inspector Richard Schmidt, Sheriff's Department

Inspector Kevin Carr, Sheriff's Department

Dr. Michael Grubner, Medical Director, Health Services for Detention Services

Inspector Schmidt provided comments relative to the subject request.

SCHEDULED ITEMS (CONTINUED):

MOTION BY: (RICE) Approve.

Questions and comments ensued.

Supervisor Schmitt suggested that line 27 of the resolution be changed to three years, with the option of (2) one year renewals. Supervisor Rice accepted this as a friendly amendment.

Vote on the motion to approve, including friendly amendment. 7-0

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7
NOES: 0

5. 06-474 From the Sheriff, requesting authorization to extend the contract with PPX, Inc. to allow the Inmate Medical Services Unit to provide on-site X-ray services to inmates. (Tape #19A-#521)

APPEARANCES:

Inspector Richard Schmidt, Sheriff's Department

Inspector Kevin Carr, Sheriff's Department

Dr. Michael Grubner, Medical Director, Health Services for Detention Services

MOTION BY: (SCHMITT) Approve. (Vote 7-0)

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7
NOES: 0

6. 06-475 From the Sheriff, requesting authorization to enter into a contract with Diamond Drugs to allow the Inmate Medical Services Unit to provide necessary drug treatment to inmates. (Tape #19A-#530)

APPEARANCES:

Inspector Richard Schmidt, Sheriff's Department

Inspector Kevin Carr, Sheriff's Department

Dr. Michael Grubner, Medical Director, Health Services for Detention Services

Jon Priebe, Public Safety Fiscal Administrator

Antonio Rubio, District Council 48, Local 1055

Questions and comments ensued.

Discussion ensued as to whom the individuals are that Milwaukee County would be contracting with as opposed to the corporate entity.

Supervisor DeBruin expressed concerns relative to DBE goal compliance.

SCHEDULED ITEMS (CONTINUED):

MOTION BY: (DE BRUIN) Layover.

Questions and comments ensued relative to a one-year contract as opposed to five years.

Supervisor DeBruin withdrew her motion to layover.

MOTION BY: (DE BRUIN) Amend the resolution on line 24 to delete the words “five years, including two (2) one year renewal options” and insert “one year”.

Comments ensued.

Supervisor Rice suggested that the word “revised” be inserted before the word “draft” on line 25 of the resolution. Supervisor DeBruin accepted this as a friendly amendment.

Mr. Rubio provided comments.

Supervisor DeBruin requested that the Sheriff’s Department provide her with a brief letter regarding the reduction in pharmacy costs.

Vote on the motion to amend the resolution. 7-0

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7
NOES: 0

MOTION BY: (DE BRUIN) Approve the resolution, as amended. (Vote 7-0)

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7
NOES: 0

7. 06-476 From the Sheriff, requesting approval of a Professional Services Contract with Dr. David Edwin Holloway and Dr. Stonefield for the provision of psychiatric services at the House of Correction. (Tape #19B-#267)

APPEARANCES:

Inspector Richard Schmidt, Sheriff’s Department

Inspector Kevin Carr, Sheriff’s Department

Dr. Michael Grubner, Medical Director, Health Services for Detention Services

Inspector Schmidt provided comments relative to the subject request.

SCHEDULED ITEMS (CONTINUED):

Supervisor DeBruin requested information regarding Board certification for both doctors before Board day.

MOTION BY: (RICE) Approve.

Questions and comments ensued.

Supervisor Cesarz pointed out that on line 21 of the resolution, 1.7 FTE should be changed to .45 FTE.

Vote on the motion to approve: 7-0

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

NOES: 0

8. 06-J-26 From the Sheriff, informational report on the emergency purchase of physician residents services to resolve serious Nurse Practitioner shortages.
(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE) (Tape #19B-#512)

APPEARANCES:

Inspector Richard Schmidt, Sheriff's Department

Inspector Kevin Carr, Sheriff's Department

Dr. Michael Grubner, Medical Director, Health Services for Detention Services

Linda Federighe, Federation of Nurses and Health Professionals

Inspector Schmidt, Inspector Carr and Dr. Grubner provided comments.

Discussion ensued at length.

Ms. Federighe provided comments relative to the information she received from the Sheriff's department outlining some of the points that she felt the Federation of Nurses should be in agreement with. She noted that there was information missing pertaining to accurate data. She requested that the Committee layover item #9.

The Committee took no action on this informational report.

9. 06-477 From the Sheriff, requesting approval of a Professional Services Contract to be used by the Sheriff's Health Services Unit to purchase the services of medical residents and students to perform basic services for the inmates at the Criminal Justice Facility and House of Correction in an amount not to exceed 500 hours per year per individual, dependent on sufficient funding from Nurse Practitioner vacancies.
(Tape #19B-#720)

SCHEDULED ITEMS (CONTINUED):

APPEARANCES:

Supervisor Marina Dimitrijevic, District #4
Inspector Richard Schmidt, Sheriff's Department
Inspector Kevin Carr, Sheriff's Department
Dr. Michael Grubner, Medical Director, Health Services for Detention Services
Linda Federighe, Federation of Nurses and Health Professionals

Questions and comments ensued.

MOTION BY: (DE BRUIN) Amend the resolution as recommended by staff, add the word "licensed" throughout before the words "residents" or "medical residents" and change the Professional Services Contract accordingly.

Questions and comments continued.

Supervisor Dimitrijevic requested information pertaining to the overtime for the nurses.

Vote on the motion to amend the resolution: 7-0

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

NOES: 0

MOTION BY: (DE BRUIN) Approve the resolution, as amended. (Vote 7-0)

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7

NOES: 0

10. 06-J-27 From Superintendent, House of Correction, informational report on the relocation of the Community Justice Resource Center (Day Reporting Center).
(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE) (Tape #20A-#431)

APPEARANCE:

Jon Priebe, Public Safety Fiscal Administrator

Mr. Priebe reviewed the subject report.

The Committee took no action on this informational report.

SCHEDULED ITEMS (CONTINUED):

The Committee may adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the following matter(s). At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary:

CORPORATION COUNSEL RECOMMENDS PAYMENT/SETTLEMENT OF THE FOLLOWING CLAIMS/LITIGATION

(Note: Section 56.08 of the Milwaukee County General Ordinances authorizes the Judiciary Committee to settle all claims when the amount does not exceed \$5,000.00, and the action of the Committee is final and no further County Board action is required.):

11. 06-453 From Principal Assistant Corporation Counsel, regarding the claims of Tania M. McCarthy for racial and gender discrimination, requesting payment of \$40,000 in full settlement. (Tape #20A-#477)

MOTION BY: (RICE) Approve items 11-17 together. (Vote 7-0)

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 7
NOES: 0

12. 05-276 From Afni Insurance Services, submitting a claim under their subrogation rights of their insured, American Family Insurance and Rachel Govan for reimbursement of payment made for alleged damages sustained when involved in an accident with a Milwaukee County-owned vehicle on June 4, 2004. **(Corporation Counsel recommends payment in the amount of \$19,283.27.)**

SEE ACTION UNDER ITEM 11.

13. 05-257 From Warshafsky, Rotter, Tarnoff, Reinhardt & Bloch, S.C., submitting a claim in behalf of Nichole Schill for injuries and damages allegedly sustained while riding a golf cart at Brown Deer Park. **(Corporation Counsel recommends payment in the amount of \$31,000.00.)**

SEE ACTION UNDER ITEM 11.

14. 05-189 From Phillips, Cymerman & Stein, S.C., submitting a claim in behalf of Sholonda R. Morris for injuries and damages allegedly sustained when involved in an accident with a Milwaukee County-owned vehicle. **(Corporation Counsel recommends payment in the amount of \$13,794.43.)**

SEE ACTION UNDER ITEM 11.

SCHEDULED ITEMS (CONTINUED):

15. 06-448 From Paula Josephs, submitting a claim for injuries and damages allegedly sustained when a County vehicle struck her vehicle. **(Corporation Counsel recommends payment in the amount of \$7,899.13 in full settlement of all claims.)**

SEE ACTION UNDER ITEM 11.

16. 06-449 From Jeff and Terrie Yee, submitting a claim for damages allegedly sustained to their vehicle when it was struck by a County vehicle. **(Corporation Counsel recommends payment in the amount of \$1,700 in full settlement of all claims.)**

SEE ACTION UNDER ITEM 11.

17. 06-450 From American Family Insurance in behalf of Bernadette Meagher, submitting a claim for damages sustained to her vehicle when it was struck by a County vehicle. **(Corporation Counsel recommends payment in the amount of \$1,247.61 to American Family to settle all claims.)**

SEE ACTION UNDER ITEM 11.

18. 06-J-22 From Corporation Counsel, status report on Mercer pension lawsuit. (Tape #20A-#458)

MOTION BY: (RICE) that the Committee adjourn into closed session under the provisions of Wisconsin Statutes, Section 19.85(1)(g), for the purpose of the Committee receiving oral or written advice from legal counsel concerning strategy to be adopted with respect to pending or possible litigation with regard to the items 18-23. At the conclusion of the closed session, the Committee may reconvene in open session to take whatever actions it may deem necessary. (Vote 5-0)

AYES: Rice, Cesarz, Broderick, Devine and Johnson (Chair) - 5

NOES: 0

EXCUSED: DeBruin and Schmitt

The Committee adjourned into closed session at approximately 11:30 a.m. and reconvened in open at approximately 1:40 p.m. with the same members present as before.

The Committee took no action on this item.

SCHEDULED ITEMS (CONTINUED):

19. 06-J-23 From Corporation Counsel, status report regarding a possible criminal investigation
06-490 and prosecution arising out of the treatment of a former Behavioral Health Division
patient. **(Corporation Counsel may request that action be taken.)** (Tape #20A-
#502)

***MOTION BY: (BRODERICK) Approve the resolution from Corporation Counsel.
(Vote 6-1)***

AYES: Rice, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) - 6

NOES: DeBruin - 1

20. 06-J-24 From Corporation Counsel, status report regarding compensation issues of Deputy
Sheriffs who are canine handlers.

The Committee took no action on this item.

21. 06-J-25 From Corporation Counsel, a discussion of the retainer agreement with the law firm
06-491 of Quarles & Brady, LLP as bond counsel for the County. **(Corporation Counsel
may request that action be taken.)** (Tape #20A-#511)

***MOTION BY: (RICE) Approve the resolution from Corporation Counsel.
(Vote 7-0)***

AYES: Rice, DeBruin, Schmitt, Cesarz, Broderick, Devine and Johnson (Chair) – 7

NOES: 0

22. 06-J-6 From Corporation Counsel, status report on Champine sick allowance lawsuit.
06-492 **(Corporation Counsel may request that action be taken.)** (Tape #20A-#523)

***MOTION BY: (SCHMITT) Approve the resolution from Corporation Counsel.
(Vote 4-3)***

AYES: Schmitt, Broderick, Devine and Johnson (Chair) – 4

NOES: Rice, DeBruin and Cesarz – 3

23. 06-J-28 From Corporation Counsel, status report on the Circuit Court decision of the
County's challenge to the arbitrator's decision in the matter of the County and the
Wisconsin Soccer Association. **(Corporation Counsel may recommend that action
be taken.)**

The Committee took no action on this item.

SCHEDULED ITEMS (CONTINUED):

STAFF PRESENT: Rick Ceschin, Research Analyst, County Board
Bill Domina, Corporation Counsel
Bob Andrews, Deputy Corporation Counsel
Inspector Kevin Carr, Sheriff's Department
Inspector Richard Schmidt, Sheriff's Department
Dr. Michael Grubner, Medical Director, Health Services
Jon Priebe, Public Safety Fiscal Administrator
Molly Pahl, Public Safety Fiscal Analyst
Jim Martin, District Attorney's Office
Paul Dedinski, Domestic Violence Unit

This meeting was recorded on tape, which is available for audit upon prior request of the Committee Clerk. The foregoing matters were not necessarily considered in agenda order. Committee "green files" contain copies of resolutions, amendments, ordinances, reports and correspondence, etc., which may be reviewed upon request of the Committee Clerk. The official copy of these minutes is available in the County Board office.

Adjourned: 1:45 p.m.

Linda K. Durham

Linda K. Durham, Committee Clerk